

**ENTERED**

January 13, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ALLIED CENTER FOR SPECIAL  
SURGERY, AUSTIN, LLC, *et al.*,

Plaintiffs,

VS.

AETNA HEALTH, INC., *et al.*,

Defendants.

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CIVIL ACTION NO. 4:15-CV-02752

**ORDER ON DEFENDANTS' MOTION TO DISMISS**

Before the Court is the defendants', Aetna Health, Inc. and Aetna Life Insurance Company (the "defendants"), motion to dismiss the plaintiffs' state law claims. (*See* Dkt. No. 10). The plaintiffs, Allied Center for Special Surgery, Austin, LLC; Allied Center for Special Surgery, DFW, LLC; Allied Center for Special Surgery, San Antonio, LLC; Allied Center for Special Surgery, Las Vegas, LLC; and Allied Center for Special Surgery, Scottsdale, LLC (the "plaintiffs"), have filed a response in opposition to the defendants' motion to dismiss. (*See* Dkt. No. 17). After having carefully considered the motion, response, the pleadings and the applicable law, the Court determines that the defendants' motion to dismiss should be **DENIED**.

Accordingly, the defendants' motion to dismiss is hereby **DENIED**.

It is so **ORDERED**.

SIGNED on this 13<sup>th</sup> day of January, 2016.



Kenneth M. Hoyt  
United States District Judge